

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 18254 of 2004

Between:

Kommana Nageswara Rao, S/o. Subba Rao,
R/o. Angara (V), Kapileswarapuram, (M) East Godavari District.

..... PETITIONER

AND

- 1 The Joint Collector, E.G. District at Kakinada.
- 2 The Revenue Divisional Officer, Rajahmundry, E.G. District.
- 3 The Mandal Revenue Officer, Kapileswarapuram, E.G. District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue appropriate writ or order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not allowing the petitioner to continue as Fair Price Shop Dealer for shop No.15 of Angara (V) and In-Charge Fair Price Shop Dealer for shop No.35 of Tatapudi (V), Kapileswarapuram (M), E.G. District in spite of subsistence of petitioner's authorisation as Fair Price Shop dealer as illegal, arbitrary and contrary to law and consequently direct the respondents to allow the petitioner to continue by supplying the essential commodities in respect of the above Fair Price shops.

Counsel for the Petitioner: MR.K.VENKATESH

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court, at the stage of admission, made the following:

ORDER:

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Petitioner is a dealer, in respect of shop No.15 of Angara Village, Kapileswarapuram Mandal, East Godavari District. He was kept in-charge of shop No.7 of Atchutapuram village. On the allegation that certain irregularities have taken place in the distribution of essential commodities in shop No.7, the respondents stopped the supply of essential commodities to the petitioner, in respect of shop No.15 also. Petitioner challenges the action of the respondents.

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

When the writ petition came up for admission on 07.10.2004, this Court directed that the respondents shall release stocks and supply in respect of shop No.15 of Angara Village, as long as the authorization for that shop is in force. It is stated that the supply has since been restored. As of now, no notice is issued to the petitioner, in respect of Shop No.15.

Hence, the writ petition is disposed of directing that the respondents shall continue the supply of essential commodities to the petitioner for distribution in shop No.15. It hardly needs any emphasis that if the petitioner is found to have resorted to any irregularities, it shall always be open to the respondents to take necessary steps, duly following the procedure prescribed by law. There shall be no order as to costs.

L.NARASIMHA REDDY, J

Dated : 14.02.2005

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To

- 1 The Joint Collector, E.G. District at Kakinada.
 - 2 The Revenue Divisional Officer, Rajahmundry, E.G. District.
 - 3 The Mandal Revenue Officer, Kapileswarapuram, E.G. District.
- 4 2 CCs to the G.P. for Civil Supplies, High Court of A.P., Hyderabad (OUT)
- 5 2 CD copies